

REMARKS

This application presently includes Claims 1-16, in which Claims 1-3, 5-8 and 10-13 stand rejected and Claims 14-16 stand withdrawn from consideration. As apparent from the Amendments to the Claims attached to this response, Claims 1, 6, 7, 10 and 13-16 have been canceled and Claims 2, 4, 5, 10-12, 16, 17, 19 and 20 have been amended to define Applicant's invention more clearly. Claims 21-23 have been newly added while Claims 13-15 have been allowed.

Claim Rejections - 35 USC 112

Claims 2 and 12 were rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. The Examiner pointed out that "said one side wall" in Claim 2 and "the one side wall" in Claim 12 each has no antecedent basis. In response to this rejection, the subject phrase in Claim 2 has been changed to "said one of said side walls" while the phrase "the one side wall" in Claim 12 has been changed to "the one of said side walls". To this end, the Examiner's attention is invited to Claim 2, the second last line, the phrase "one of said side walls" that is the antecedent basis of the "said one of said side walls" in Claim 2 at the last line. The Examiner's attention is also invited to Claim 11, the second last line, the phrase "one of said first and second side walls" that is the antecedent basis of the "the one of said side walls" in Claim 12.

Based on the above amendments, withdrawal of the rejection under 35 USC 112 is respectfully requested.

Claim Rejections - 35 USC 102

Claims 1, 2 and 6 were rejected under 35 USC 102(b) as being anticipated by DE document No. 37 11 322 C1. Claims 1-3 and 5-8 were rejected under 35 USC 102(b) as being anticipated by EP document No. 0 048 506. Claims 1 and 10-13 were rejected under 35 USC 102(b) as being anticipated by DE document 33 21 036 A1. In view of these rejections, Claims 1, 6, 7, 10 and 13

have been canceled and Claims 2, 3, 5 and 11 have been amended. (Claims 8 and 9 have also been amended to take the Examiner's suggestion, which will be discussed later in the "Allowable Subject Matter" section.)

Claim 2 has been amended to be in independent form which include all of the limitations of Claim 1. Claim 2 requires that the bracing tab is formed in part from one of the side walls. This limitation was recited in Claim 2 in its original form; however, the limitation appears to have been overlooked by the Examiner. To this end, the Examiner's attention is invited to DE '322, Fig. 1, where none of the tabs 16 to 19 appear to be formed from either side wall 4 or 5 and to EP '506 where none of the tabs (72, 272, 274) pointed out by the Examiner is formed from a side wall (62, 66, 256, 262). The Examiner's attention is also invited to EP '506, FIG. 28, where panel 264 is not a side wall but a base all. The arrangement of Claim 2, thus, is not disclosed by either DE '322 or EP '506. As has been previously discussed, Claim 2 is now free of the issues under 35 USC 112. Accordingly, Claim 2 is allowable.

Claims 3 and 4 depend from Claim 2 and Claim 5 has been amended to depend from Claim 2. Therefore, Claims 3-5 are also allowable.

Claim 11 has been amended to be in independent form which include all of the limitations of Claim 10 and new limitations that can find support on pages 7 and 8 of the original specification.

Claim 11 requires that the aperture extends into a securing flap that is secured to one of the side walls in face contacting relationship. Referring to Figs. 1 and 3 of DE '036, panel 6 cannot be considered as a securing flap because panel 6 is not secured, in face contacting relationship, to either one of the side walls 4 and 4. The arrangement of Claim 11, therefore, is not disclosed by DE '036. Accordingly, Claim 11 is allowable.

Claim 12 depends from Claim 11 and it is now free of the issues under 35 USC 112 as has been previously discussed. Accordingly, Claim 12 is also allowable.

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For the above reasons, withdrawal of the rejections under 35 USC 102(b) is respectfully requested.

Allowable Subject Matter

The Examiner suggested that Claim 9 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. Taking this suggestion, Claim 9 has been rewritten in independent form including all of the limitations of Claims 6 and 7. Accordingly, Claim 9 is allowable.

Claim 8 has been amended to be dependent on Claim 9. Therefore, Claim 8 is also allowable.

Withdrawn Claims

Claims 14-16 that have been withdrawn are now canceled to bring the application into a condition of allowance. Applicant, however, has no intention this time to abandon the subject matter of Claims 14-16 but hereby preserves the right to pursue patent protection therefor by means of a divisional application.

It is earnestly requested that in view of the above remarks and the attached Amendments, the application, as a whole, receive favorable reconsideration, and that Claims 2-5, 8, 9, 11 and 12 be allowed.

Respectfully submitted,



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